

Case Docket No. PHA 23,782
THE COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, D.C. 20231

Enclosed for filing is the patent application of Inventor(s):
YEVGENIY EUGENE SHTEYN

For: PARTITIONING OF MP3 CONTENT FILE FOR EMULATING STREAMING

ENCLOSED ARE:

- [X] Appointment of Associates;
- [X] Information Disclosure Statement, Form PTO-1449 and copies of documents listed therein;
- [] Preliminary Amendment;
- [X] Specification (10 Pages of Specification, Claims, & Abstract);
- [X] Declaration and Power of Attorney:
(1 Page of a [X] fully executed [] unsigned Declaration);
- [X] Drawings (2 sheets of [X] informal [] formal sheets);
- [] Certified copy of application Serial No. ;
- [X] Authorization Pursuant to 37 CFR §1.136(a)(3);
- [] Other: ;
- [X] Assignment to PHILIPS ELECTRONICS NORTH AMERICA CORPORATION.

FEE COMPUTATION

CLAIMS AS FILED				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE - \$760.00
Total Claims	13 - 20 = 0	0	X \$18 =	0.00
Independent Claims	20 - 3 = 0	0	X \$78 =	0.00
Multiple Dependent Claims, if any		\$260 =		0.00
TOTAL FILING FEE =				\$760.00

Please charge Deposit Account No. 14-1270 in the amount of the total filing fee indicated above, plus any deficiencies. The Commissioner is also hereby authorized to charge any other fees which may be required, except the issue fee, or credit any overpayment to Account No. 14-1270.



Michael E. Marion, Reg. 32,266
for Peter Verdonk
(408) 617-4613
U.S. Philips Corporation
580 White Plains Road
Tarrytown NY 10591
\\SERVER0\\SYS2\\WPDOCS\\VK\\A23782.TRANSLET.DOC

CERTIFICATE OF EXPRESS MAILING

Express Mail Mailing Label No. EL335549238

Date of Deposit 11/04/99

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

G. Lomprecht 
Name 

jc525 U 09/433257 A
11/04/99

PARTITIONING OF MP3 CONTENT FILE FOR EMULATING STREAMING

FIELD OF THE INVENTION

The invention relates to content and/or control communications between multiple computer systems, or to such communications between computer systems and consumer devices. Specifically, the invention relates to communication constrained by bandwidth or limited by data processing resources available to the receiving system or device, especially if the communications are received by the user in real time. The type of communications can be, e.g., broadcast, multi-cast or point-to-point.

10

BACKGROUND ART

Consider current major technologies for delivering digital content, such as audio, video, etc. The streaming method for audio, e.g., RealAudio by RealNetworks, consists of playing-out audio at a client device, while constantly sending data from the server to the client. The technology provided by RealNetworks comprises an encoder, a server, a splitter/cache and a player system with two-way intelligence to resolve network congestion, lost packet conditions and negotiate complex internet protocols. More specifically, the known technology comprises an automatic, variable bit-rate encoding and delivery system for audio and video. The system scales to megabit connection rates and dynamically adjust the transmission rate as delivery rate varies due to network congestion. The format and the encoding/decoding methods of the data are proprietary. The server and the client synchronize receiving and playing in a way pre-defined by the particular architecture. The communication stack software is tightly coupled to the interpretation layer (application and user interface (UI)). Manufacturers of such technology promote high level of integration between client and server software, as a complete vertical solution. This approach mostly excludes third parties from developing custom server software (e.g., advertising, services) and/or client applications (UI, special effects, etc.).

Another known method is downloading of a content file from a remote computer with subsequent play-out on the client. MP3 is a widely known audio data format used within the downloading context. There are other data formats, e.g., MP4 for video data etc. The major advantage of the above mentioned method is its open data standard approach. As long as the right format of the content file is observed during encoding, client and server software/hardware

manufacturers are free to develop their own solutions/products.

A major problem with the complete download approach is the inherent latency: there is a delay between the beginning of the download and the start of the play-out. The larger the file and or smaller the communication bandwidth, the longer it takes to transfer the content from the server to the client. This is particularly undesirable in consumer electronics systems, where perceived delay is detrimental to market acceptance of an open architecture.

SUMMARY OF THE INVENTION

It is an object of the invention to provide an open architecture solution for content delivery in a download approach that allows for a low or negligible play-out latency.

To this end the content file is split into multiple parts. Each part or segment requires a relatively short download time. Therefore, the play-out latency is determined by the download time of the first part. The size of the individual part can be determined by the communications bandwidth, e.g., through pinging for a latency-check. The client device/application receives control information about the content. This control information comprises, for example, information relating to the size and memory location of the whole file as well as of its parts at the server. If the client is not capable of processing split data, it proceeds with the traditional approach, i.e., downloads the whole file and then plays it out. In case the client is capable of processing parts of the content, it uses the relevant control information about the parts in order to continue downloading data, while playing. Data play-out, also called "rendering", is computation-intensive, since it requires a plurality of decoding operations. Data download is bandwidth-intensive. Accordingly, simultaneous play-out and downloading do not significantly compete for the same system resources. This separation between downloading and processing can be efficiently used in a multi-process and/or multi-thread environment.

Preferably, the information contains references to the file location as well as references to the locations of the parts. The intended bandwidth information is associated with the parts. The client may make its own decisions regarding how many parts to download before the start of the play out (execution).

The parts can have different data formats. The format of some of the parts can be proprietary. Information about alternative content parts, regarding bandwidth, format, location access options, etc., can be provided. Content parts can physically reside on different servers.

Content can be split into parts consistent within the semantics of the content, e.g., end of musical phrase, paragraph, target control device, etc. A third party may insert its own content parts in between the original content parts. The third party parts contain, for example, advertisements, commentary, customization options. The format of parts for play-out may be chosen according to user-related information, e.g., personal preferences, level of access to premium services, quality of the equipment, bandwidth sharing/fluctuation conditions, etc.

BRIEF DESCRIPTION OF THE DRAWINGS

The invention is explained in further detail and by way of example with reference to the accompanying drawing wherein:

Fig.1 is a flow diagram illustrating the various steps in a method according to the invention; and

Fig.2 gives an example of control code.

Throughout the Figures, same reference labels indicate similar or corresponding features.

PREFERRED EMBODIMENTS

The invention enables emulating the streaming of files while using a download approach. Fig.1 illustrates a flow diagram 100 with various steps involved in the playing-out of a segmented file at the client.

In step 102, the client contacts the server selects the particular content file and downloads the control information that enables the retrieving and playing out of the segmented file. The control information describes the locations, e.g., URL's, and size of the various file segments, and provides, e.g., UI functionalities at the client. In this example, the control information is coded in XML.

In step 104 the XML code is parsed. Parsing of XML is well known in the art. A person skilled in the art can download an XML interpreter, including source code, from the Internet, see e.g. www.ibm.com/xml. Thus, the client is enabled to get information about the content information and the URLs of the first and subsequent file segments..

In step 106, the first file segment is downloaded for play-out. Communicating with a remote server is a well known technology. For example, Java 2.0 provides a set of standard

classes that enable retrieving a remote file into a buffer or as a stream. (see, e.g., www.sun.com - java 2.0 java.io.* package documentation).

In step 108, the rendering of the first segment is started. The buffered content of the first segment is forwarded to a decoding/playing module. The decoding/playing module decodes the file format, e.g., MP3. The playing of the supplied stream of bits involves a number of standard operating system calls to its drivers a technique well known in the art.

In step 110, the next file segment is downloaded at the client and stored in a buffer while the previous file segment, here the first file segment, is being played out. One option is to have the downloaded files buffered in a sequence or linked list of buffers. This functionality is typically provided by the operating system of the client. For example, MS Windows family of products creates a memory buffer associated with the file every time an API call opens the file. Alternatively, in a thread- and/or process-rich environment, several threads and/or processes can be organized to independently retrieve file segments, while playing out the content of other segments. Working with threads is a skill common for software engineers. For example, Java 2.0 from Sun Microsystems provides classes supporting multiple threads (see, for example, java.lang.thread and related documentation) Similarly, Microsoft SDK for the Windows family of products makes thread- or process-related functionalities available to programmers.

Upon completion of playing out the first segment, the second segment is passed on from the buffer to the decoding/playing module. This can be implemented by means of, e.g., a linked list. As known, a linked list is a data structure wherein each element (here: segment) has content data and a pointer to a next element (here: next segment).

The decoding/playing module has to decode the file format. The decoding program represents a standard task to a person skilled in the art to program a decoding procedure according to a widely published standard (MP3, etc.). The playing of the supplied stream of bits involves a number of standard operating system calls to its drivers - a technique well known in the art.

Fig.2 gives an example of information-describing content coded in XML. The code fragment labels the segments as having a title "The best ever music" performed by "V.R. Famous" and having several parts. The segment labeled "part1" is in a preferred format and described the length of the part, e.g., in bytes, the format, the minimum bandwidth required for a connection, and the location on the Internet. An alternative first part is labeled "part1 alt" having

a different length, different format, different minimum bandwidth requirement, and a different location. The XML code can be combined with XSL for generating a user level UI at the user's client. The client thus can automatically choose the format compatible with the client's play-out capabilities.

5 When the client has selected the proper file, either the one of which the first part is represented here as in the preferred format or the one in the alternative format, the content of the first part is downloaded from the location specified and playing out is started automatically under application control. Combining multiple sequenced inputs is well understood in the industry. For example, Java JDK v.1.2 from Sun Microsystems, Inc. provides a class

10 `java.io.SequenceInputStream` (see

<http://java.sun.com/products/jdk/1.2/docs/api/java/io/SequenceInputStreams.html>) as a standard component of the io class library. `SequenceInputStream` represents the logical concatenation of other input streams. It starts out with an ordered collection of input streams and reads from the first one until end of file is reached, whereupon it reads from the second one, and so on, until end of file is reached on the last of the contained input streams. An object of the

15 `java.io.SequenceInputStream` class can be initialized by, e.g., enumeration (see

<http://java.sun.com/products/jdk/1.2/docs/api/java/util/Enumeration.html>) of objects of the `InputStream` class (see <http://java.sun.com/products/jdk/1.2/docs/api/java/io/InputStream.html>).

This abstract class is the superclass of all classes representing an input stream of bytes, including the class `FileInputStream` (see <http://java.sun.com/products/jdk/1.2/docs/api/java/io/FileInputStream.html>). In case of the downloading of multiple file parts, an application can create instances of the `FileInputStream` class from local temporary files into which the parts are being downloaded. The contents of those multiple local files will be supplied to the Sequencer. The rendering component of the application wil read the information out it as if it were just a single local file.

25 The segmentation of the content file into separately downloadable segments enables a third party, such as a service provider, to insert between two segments specific content information, e.g., advertisements to be rendered on the client's display.

30 During operation, the client application could select a next segment in a different format for the same content to adapt to changing circumstances, e.g., lower bandwidth due to network congestion. Also, the user could be prompted to subscribe to a service that as a demo lets the user

download only the first segment in a high quality and the next segments in a lower quality. The combination of XML and a corresponding parser and interpreter at the client controls the downloading and playing out as explained above. Accordingly, the client pulls the content segments from the locations indicated in the XML control information for buffering and
5 subsequent play-out.

The implementation of a client in this client-server architecture can be done in a variety of ways. A first example is a hardware-based single-purpose device, similar to the Rio MP3 player by the Diamond Corp. In order to accommodate the method of the invention, the player needs, in addition, an XML parser, the ability to interpret XML and the ability to download and
10 play-out coontent segments sequentially. A second example is to implement the method of the invention as a software application on a multi-purpose computing device, e.g., a PC or a set top box. The device has the software implementing the functionalities mentioned above. In a graphics-rich environment, multiple GUI's are represented to the user for further customization.

The following co-pending applications are incorporated herein by reference:
15 U.S. serial no. (Attorney docket PHA 23,768) filed 9/27/99 for Raoul Mallart for SCALABLE SYSTEM FOR VIDEO-ON-DEMAND. This patent document relates to a Video-on-Demand service (VOD) that is emulated in a Near-Video-on-Demand (NVOD) architecture. Content information is made available to an end-user in the NVOD architecture. An introductory portion of the content information is stored at the end-user's equipment, e.g., by
20 downloading overnight. During playing out of the introductory portion at the end-user enabling the content information supplied in the NVOD architecture is buffered at the end-user's equipment. The equipment is controlled to switch from playing out the introductory portion stored to playing out the buffered content information.

U.S. serial no. 09/189,534 (Attorney docket PHA 23,528) filed 11/10/98 for Eugene
25 Shteyn for CONTENT SUPPLIED AS SOFTWARE OBJECTS FOR COPYRIGHT PROTECTION. This document relates to supplying content information such as a movie, an audio file or a textual message to an end-user in a software object. The object has an encapsulated procedure for end-user access of the content information in a runtime environment. The object can specify time frame for and manner wherein the content information is to be
30 accessed. Since the procedure is encapsulated in the object together with the content data, and since transport of the object over the Internet is done after serializing, an adequate degree of

security is provided against unauthorized play-out or copying.

U.S. serial no.09/149,950 (Attorney docket PHA 23,495) filed 9/9/98 for Raoul Mallart for REAL TIME VIDEO GAME USES EMULATION OF STREAMING OVER THE INTERNET IN A BROADCAST EVENT. This patent document relates to emulating streaming of animation data over the Internet to a large number of clients in a broadcast application on a client-server network. The animation is considered a sequence of states. State information is sent to the clients instead of the graphics data itself. The clients generate the animation data itself under control of the state information. The server and clients communicate using a shared object protocol. Thus, streaming is accomplished as well as a broadcast without running into severe network bandwidth problems. This approach is used to map a real life event, e.g., a motor race, onto a virtual environment in order to let the user participate in a virtual race against the real life professionals, the dynamics of the virtual environment being determined by the state changes sent to the user.

U.S. serial no. 09/138,782 (Attorney docket PHA 23,491) filed 8/24/98 for Raoul Mallart and Atul Sinha for EMULATION OF STREAMING OVER THE INTERNET IN A BROADCAST APPLICATION. In a broadcast application on a client-server network the streaming is emulated of animation data over the Internet to a large number of clients. The animation is considered a sequence of states. State information is sent to the clients instead of the graphics data itself. The clients generate the animation data itself under control of the state information. The server and clients communicate using a shared object protocol. Thus, streaming is accomplished as well as a broadcast without running into severe network bandwidth problems.

U.S. serial no. 09/283,545 (attorney docket PHA 23,633) filed 4/1/99 for Eugene Shteyn for TIME- AND LOCATION-DRIVEN PERSONALIZED TV. This document relates to a service for personalized video recorders such as the one from TiVo-Philips. The recorder has a hard-disk that serves as a random-access buffer.

I CLAIM:

1. A method of enabling to emulate streaming of a file over a data network to a client, the
method comprising:
 - 5 partitioning the file into multiple segments;
 - enabling the client to download a first one of the segments for playing out;
 - enabling the client to download a next one of the segments while playing out a current
one of the segments;
 - 10 enabling the client to buffer the next segment while playing out the current segment; and
 - enabling the client to start playing out the buffered next segment upon completion of the
playing out of the current segment.
2. The method of claim 1, wherein the partitioning is determined by information about the client.
15
3. The method of claim 1, wherein the partitioning is determined by information about the
network.
4. The method of claim 1, wherein the file comprises an audio file.
20
5. The method of claim 1, wherein the file comprises a video file.
6. The method of claim 1, wherein the partitioning comprises adding respective tags to
respective ones of the segments.
25
7. An electronic file comprising information content partitioned into multiple segments that are
separately downloadable over a data network, the file comprising control information for
enabling to play out a first one of the segments upon downloading, enabling to buffer a second
one of the segments while the first segment is being played out and enabling a seamless transition
30 between the playing out of the first and the second segments.

8. The file of claim 7, wherein a respective one of the multiple segments comprises respective control information.

9. The file of claim 7 implemented as a linked list.

5

10. The file of claim 7 comprising the control information in XML format.

11. A device for play-out information content received over a data network from a server, wherein:

10 - the information content comprises multiple segments;

- the device is capable of downloading a first one of the segments from the server for playing out;

- the device is capable of downloading a next one of the segments while playing out a current one of the segments;

- the device is capable of buffering the next segment while playing out the current segment; and

- the device is capable of starting to play out the buffered next segment upon completion of the playing out of the current segment.

15
20

12. The device of claim 11, wherein:

- the content information is accessible through control information provided to the device; and

- the device is capable of interpreting the control information to retrieve the segments from the server for sequential play-out.

20

13. The device of claim 12, wherein:

- the control information comprises an XML format;

25

- the device has an XML parser; and

- the device has an XML interpreter.

30

ABSTRACT

An electronic file, e.g., an MP3 file, is partitioned into a sequence of segments at the server side. The first segment is played out upon downloading. While the first segment is being played out, the second is being downloaded and buffered so that it is available when the play out of the first 5 segment is completed. While playing out a current one of the segments, next one(s) of the segments are being downloaded and buffered. This partitioning ad sequential play out enables to emulate streaming of a file and to minimize latency while downloading an electronic file.

10

20

25

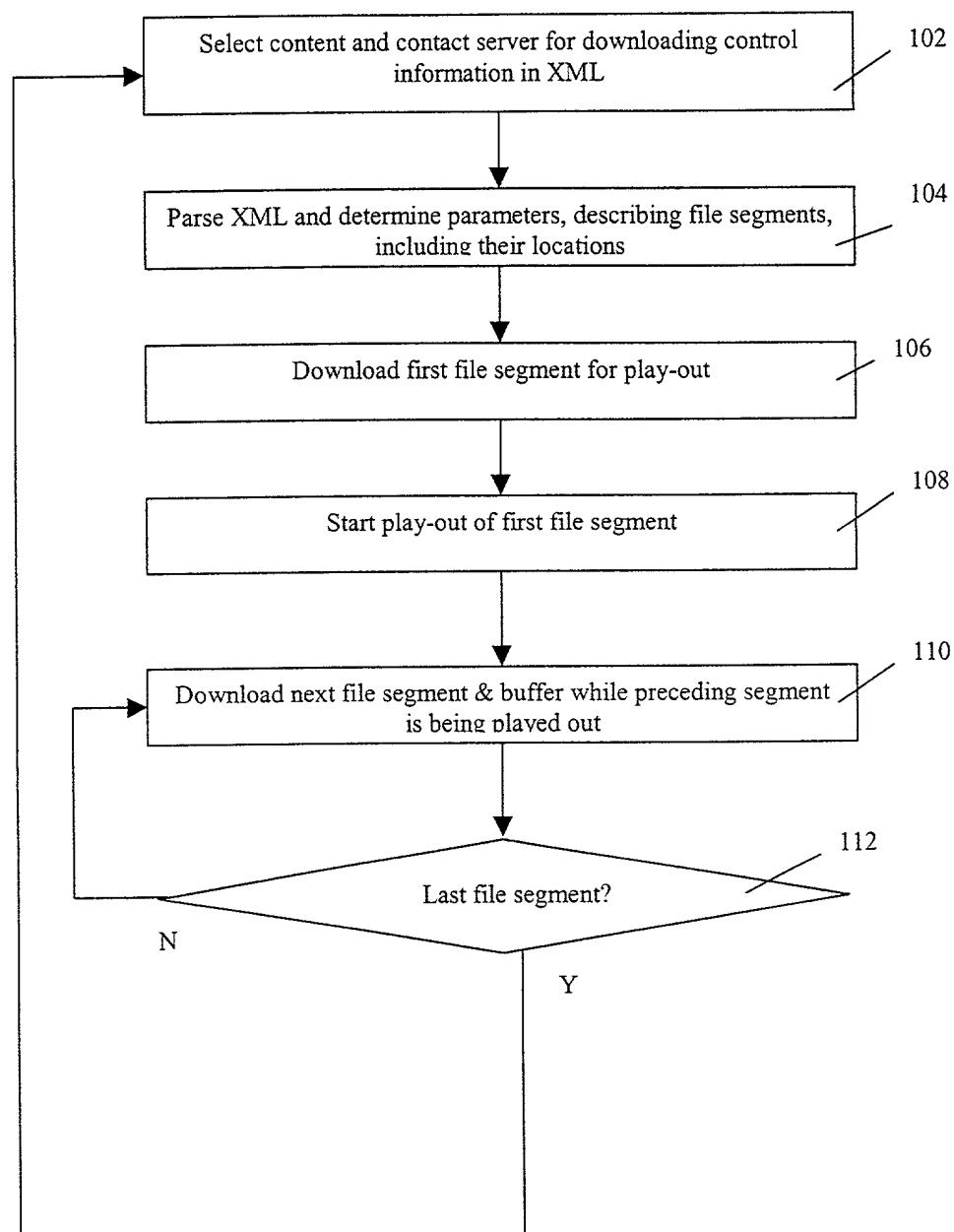


Fig.1

```
<XML>
  <title>
    The best ever music
  </title>
  <artist>
    V.R. Famous
  </artist>
  <parts>          (Preferred format)
    <part1>
      <length> 1024 </length>
      <format> MP3 </format>
      <location> ftp://137.27.52.87 </location>
      <min_bandwidth> 10,000 </min_bandwidth>
    </part1>

          (Alternative format)
    <part1_alt>
      <length> 512 </length>
      <format> OTHER </format>
      <location> http:// yevgeniynet/.... </location>
      <min_bandwidth> 8,000 </min_bandwidth>
    </part1_alt>
    .....
  </parts>
</XML>
```

Fig.2

DECLARATION and POWER OF ATTORNEY

Attorney's Docket No. PHA 23,782

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled PARTITIONING OF MP3 CONTENT FILE FOR EMULATING STREAMING the specification of which (check one)

X is attached hereto.

____ was filed on _____ as Application Serial No. _____ and was amended on
(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by the amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulation, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING (DAY, MONTH, YEAR)	PRIORITY CLAIMED UNDER 35 U.S.C. 119

Hereby claim the benefit under Title 35, United States Code, §120 of any United States application (s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

RE

PRIOR UNITED STATES APPLICATION(S)

APPLICATION SERIAL NUMBER	FILING DATE	STATUS (PATENTED, PENDING, ABANDONED)
60/156,468	9/27/99	Pending provisional attorney docket PHA 23,786 P

Hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 101 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Algy Tamoshunas, Reg. No. 27,677

Jack E. Haken, Reg. No. 26,902

SEND CORRESPONDENCE TO:
Corporate Patent Counsel;
U.S. Philips Corporation; 580 White Plains Road; Tarrytown, NY 10591

DIRECT TELEPHONE CALLS TO:
Peter Verdonk (408) 617-4613

Dated: 10-1-99	INVENTOR'S SIGNATURE: <i>Eugen Shteyn</i>			
Full Name of Inventor	Last Name: Shteyn	First Name: YEVGENIY	Middle Name: EUGENE	
Residence & Citizenship	City of Residence: Cupertino	State/Country: CA	Country of Citizenship: US	
Post Office Address	Street: 21820 Garden View	City: Cupertino	State: CA	Zip Code: 95014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Atty. Docket

YEVGENIY EUGENE SSTEYN

PHA 23,782

Filed: CONCURRENTLY

PHA 23,782

PARTITIONING OF MP3 CONTENT FILE FOR EMULATING STREAMING

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

APPOINTMENT OF ASSOCIATES

Sir:

The undersigned Attorney of Record hereby revokes all prior appointments (if any) of Associate Attorney(s) or Agent(s) in the above-captioned case and appoints:

MICHAEL E. MARION (Registration No. 32,266) and

EDWARD BLOCKER (Registration No. 30,245)

c/o U.S. PHILIPS CORPORATION, Intellectual Property Department, 580
White Plains Road, Tarrytown, New York 10591, his Associate
Attorney(s)/Agent(s) with all the usual powers to prosecute the
above-identified application and any division or continuation
thereof, to make alterations and amendments therein, and to
transact all business in the Patent and Trademark Office connected
therewith.

ALL CORRESPONDENCE CONCERNING THIS APPLICATION AND THE
LETTERS PATENT WHEN GRANTED SHOULD BE ADDRESSED TO THE UNDERSIGNED
ATTORNEY OF RECORD.

Respectfully,

Aly Tamoshunas, Reg. 27,677
Attorney of Record

Dated at Tarrytown, New York
this November 3, 1999.